

oxytetracycline, to control fire blight on apples for 5,000 acres in Michigan, 4,340 acres in Oregon, and 3,000 acres in Washington State. In accordance with 40 CFR 166.24, EPA is soliciting public comment before making the decision whether or not to grant the exemption.

DATES: Comments must be received on or before April 13, 1995.

ADDRESSES: Three copies of written comments, bearing the identification notation "OPP-180965," should be submitted by mail to: Public Response and Human Resource Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments to: Rm. 1128, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Information submitted in any comment concerning this notice may be claimed confidential by marking any part or all of that information as "Confidential Business Information." Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain Confidential Business Information must be provided by the submitter for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments filed pursuant to this notice will be available for public inspection in Rm. 1128, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Margarita Collantes, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: 6th Floor, Crystal Station I, 2800 Jefferson Davis Highway, Arlington, VA 22202, (703) 308-8347; e-mail: collantes.margarita@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Pursuant to section 18 of the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), the Administrator may, at her discretion, exempt a State agency from any registration provision of FIFRA if she determines that emergency conditions exist which require such exemption. The Applicant has requested the Administrator to issue a specific exemptions for use of the bactericide, oxytetracycline, available as Terramycin (EPA Reg. No. 618-104) from Merck and Company, to control fireblight on up to 5,000 acres of apples in Michigan, 4,340

in Oregon and 3,000 in Washington State. Information in accordance with 40 CFR part 166 was submitted as part of this request.

According to the Applicants, the bactericide commonly used to control fire blight has been streptomycin, however, apples have developed a resistance to streptomycin and have become susceptible to blight. None of the registered pesticides are effective against this disease and, without an effective control growers will incur significant economic losses during the 1995 growing season.

Under the proposed exemptions, a maximum of five ground applications of Terramycin for Michigan, and a maximum of up to eight application for Oregon and Washington, would be made at 0.8 ounces to 1.0 pound of product (50 to 100 gallons of a 200 ppm solution per acre). A 60-day preharvest interval will be observed.

This notice does not constitute a decision by EPA on the application itself. The regulations governing section 18 require that the Agency publish notice of receipt in the **Federal Register** and solicit public comment on an application for a specific exemption if an emergency exemption has been requested or granted for that use in any 3 previous years, and a complete application for registration of that use has not been submitted to the Agency [40 CFR 166.24 (a)(6)]. Exemptions for the use of oxytetracycline on apples have been requested and granted for the past 4 years, and an application for registration of this use has not been submitted to the Agency.

Accordingly, interested persons may submit written views on this subject to the Field Operations Division at the address above. The Agency will review and consider all comments received during the comment period in determining whether to issue the emergency exemptions requested by the Michigan, Oregon and Washington Departments of Agriculture.

List of Subjects

Environmental protection, Pesticides and pests, Crisis exemptions.

Dated: March 22, 1995.

Stephen L. Johnson,

Director, Registration Division, Office of Pesticide Programs.

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[OPP-180967; FRL 4944-3]

Pyrithiobac-Sodium; Receipt of Application for Emergency Exemption, Solicitation of Public Comment

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has received a specific exemption request from the Arkansas State Plant Board (hereafter referred to as the "Applicant") for use of the pesticide pyriithiobac-sodium, to control morningglory and cocklebur on up to 500,000 acres of cotton in Arkansas. In accordance with 40 CFR 166.24, EPA is soliciting public comment before making the decision whether or not to grant the exemption.

DATES: Comments must be received on or before April 13, 1995.

ADDRESSES: Three copies of written comments, bearing the identification notation "OPP-180967," should be submitted by mail to: Public Response and Human Resource Branch, Field Operations Division (7506C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person, bring comments to: Rm. 1128, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA.

Information submitted in any comment concerning this notice may be claimed confidential by marking any part or all of that information as "Confidential Business Information." Information so marked will not be disclosed except in accordance with procedures set forth in 40 CFR part 2. A copy of the comment that does not contain Confidential Business Information must be provided by the submitter for inclusion in the public record. Information not marked confidential may be disclosed publicly by EPA without prior notice. All written comments filed pursuant to this notice will be available for public inspection in Rm. 1128, Crystal Mall #2, 1921 Jefferson Davis Highway, Arlington, VA, from 8 a.m. to 4 p.m., Monday through Friday, except legal holidays.

FOR FURTHER INFORMATION CONTACT: By mail: Margarita Collantes, Registration Division (7505W), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. Office location and telephone number: 6th Floor, Crystal Station I, 2800 Jefferson Davis Highway, Arlington, VA 22202, (703) 308-8347; e-mail: collantes.margarita@epamail.epa.gov.

SUPPLEMENTARY INFORMATION: Pursuant to section 18 of the Federal Insecticide,

Fungicide, and Rodenticide Act (FIFRA) (7 U.S.C. 136p), the Administrator may, at her discretion, exempt a State agency from any registration provision of FIFRA if she determines that emergency conditions exist which require such exemption. The Applicant has requested the Administrator to issue a specific exemption for use of the herbicide, pyriithiobac-sodium, available as Staple from DuPont Agricultural Products, to control morningglory and cocklebur on up to 500,000 acres of cotton in Arkansas. Information in accordance with 40 CFR part 166 was submitted as part of this request.

According to the Applicant, the registered alternative herbicides Command and Cotoran, provide only fair control unless environmental conditions are perfect. If no rainfall occurs for activation of the soil applied herbicide, no height difference is established for the post-directed spray. This is often compounded by wet weather preventing the directed application to be made. Command was used last year by over one-half of the Arkansas cotton growers for morningglory control. Command provides good control of pitted morningglory, but poor control of the entire leaf and ivyleaf species. In addition, off-target movement problems have created a controversy in Arkansas and the long-term future of this herbicide remains clouded. Even with Command, an emergency situation exists for an over-the-top herbicide for morningglory control. In addition, a second weed that is rapidly increasing is the cocklebur which is resistant to MSMA and DSMA. The arsenical herbicides have been Arkansas primary means of cocklebur control and resistance is fast rendering them useless. The applicant estimates a yield loss ranging from 17 to 66 percent due to cocklebur and a 72 percent yield loss due to pitted morningglory.

Under the proposed exemption, a maximum of two ground or air applications of Staple would be made at 1.0 fluid ounces of product (or 1.18 to 2.35 ozs 85 percent SP/A) per acre. Not to exceed 2.0 fluid ounces of product per acre. No applications would be made within 45 days of harvest.

This notice does not constitute a decision by EPA on the application itself. The regulations governing section 18 require that the Agency publish notice of receipt in the **Federal Register** and solicit public comment on an application for a specific exemption proposing use of a new chemical (i.e., an active ingredient not contained in any currently registered pesticide) [40 CFR 166.24 (a)(1)].

Pyriithiobac-sodium is a new chemical. Accordingly, interested persons may submit written views on this subject to the Field Operations Division at the address above. The Agency will review and consider all comments received during the comment period in determining whether to issue the emergency exemption requested by the Arkansas State Plant Board.

List of Subjects

Environmental protection, Pesticides and pests, Crisis exemptions.

Dated: March 17, 1995.

Lois Rossi,

Acting Director, Registration Division, Office of Pesticide Programs.

[FR Doc. 95-7581 Filed 3-28-95; 8:45 am]

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[OPP-50805; FRL-4934-5]

Issuance of Experimental Use Permits

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA has granted experimental use permits to the following applicants. These permits are in accordance with, and subject to, the provisions of 40 CFR part 172, which defines EPA procedures with respect to the use of pesticides for experimental use purposes.

FOR FURTHER INFORMATION CONTACT: By mail: Registration Division (7505C), Office of Pesticide Programs, Environmental Protection Agency, 401 M St., SW., Washington, DC 20460. In person or by telephone: Contact the product manager at the following address at the office location or telephone number cited in each experimental use permit: 1921 Jefferson Davis Highway, Arlington, VA.

SUPPLEMENTARY INFORMATION: EPA has issued the following experimental use permits:

241-EUP-128. Issuance. American Cyanamid Company, P.O. Box 400, Princeton, NJ 08543-0400. This experimental use permit allows the use of 300 pounds of the insecticide/miticide 4-bromo-2-(4-chlorophenyl)-1-(ethoxymethyl)-5-(trifluoromethyl)-1H-pyrrrole-3-carbonitrile on 150 acres of greenhouse and shadehouse ornamentals to evaluate the control of various insect pests. The program is authorized only in the States of Alabama, Arkansas, Arizona, California, Colorado, Delaware, Florida, Georgia, Hawaii, Illinois, Indiana, Iowa, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, North

Carolina, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, Washington, and Wisconsin. The experimental use permit is effective from January 18, 1995 to January 18, 1997. (Dennis Edwards, Jr., PM 19, CM #2, Rm. 207, (703-305-6386))

524-EUP-85. Issuance. Monsanto Company, 700 14th St., NW., Suite 1100, Washington, DC 20005. This experimental use permit allows the use of 556.875 pounds of the herbicide glyphosate on 500 acres of soybeans to evaluate the control of various weeds. The program is authorized only in the States of Alabama, Arkansas, Delaware, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, and Wisconsin. The experimental use permit is effective from January 19, 1995 to January 19, 1996. This permit is issued with the limitation that all treated crops are destroyed or used for research purposes only. (Robert Taylor, PM 25, CM #2, Rm. 241, (703-305-6800))

54555-EUP-6. Issuance. SKW Trostberg, AG., c/o Siemer and Associates, Inc., 4672 W. Jennifer, Suite 103, Fresno, CA 93722. This experimental use permit allows the use of 28,531 pounds of the growth regulator hydrogen cyanamide on 2,437.9 acres of top fruits to evaluate control of diseases and maturation of fruit. The program is authorized only in the States of Alabama, Arizona, California, Florida, Georgia, and Texas. The experimental use permit is effective from January 12, 1995 to January 12, 1996. (Joanne I. Miller, PM 23, CM #2, Rm. 237, (703-305-7830))

707-EUP-122. Issuance. Rohm and Haas Company, Independence Mall West, Philadelphia, PA 19105. This experimental use permit allows the use of 321 pounds of the active ingredient α -butyl- α -(4-chlorophenyl)-1H-1,2,4-triazole-1-propanenitrile on 535 acres of cucurbits to evaluate the control of various fungi. The program is authorized only in the States of Arizona, Arkansas, California, Connecticut, Delaware, Florida, Georgia, Illinois, Iowa, Indiana, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, and Wisconsin. The experimental use permit is effective from July 1, 1994 to June 30, 1995. A temporary tolerance for residues of the active ingredient in or on cucurbits has